

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Toshiyuki UEHARA, et al. Art Unit: Unassigned

Application No. 09/980,490 Examiner: Unassigned

Filed: December 4, 2001

For: ALUMINUM-ALLOY THERMAL EXCHANGER ~~RECEIVED~~

PETITION UNDER MPEP 710.06

05 APR 2002

Assistant Commissioner for Patents
Washington, D.C. 20231

International Division

Sir:

The Applicants respectfully petition to restart the previously set period for reply to the Notification of Missing Requirements dated January 31, 2002 to run from the date of receipt, March 12, 2002, of the Notification of Missing Requirements at the correspondence address.

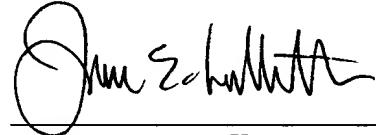
The requirements of MPEP 710.06 are met as follows. The Notification of Missing Requirements was received on March 12, 2002. More than one month of the response period had elapsed on the date of receipt. Attached hereto is a copy of the first page of the Notification of Missing Requirements showing a receipt date from the USPTO of March 12, 2002.

The evidence presented herein establishes the date of receipt of the Notification of Missing Requirements at the correspondence

address of record because it is the practice of the undersigned's law firm to date stamp the first page of PTO communications on the day they are received. Attached is a copy of a letter recently mailed to the undersigned by the Commissioner of Patents noting difficulties relating to delayed deliveries of mail since mid-October 2001.

Accordingly, restarting of the previously set period for reply to the Notification of Missing Requirements dated January 31, 2002 to run from the date of receipt, March 12, 2002, of the Notification of Missing Requirements at the correspondence address is respectfully requested.

Respectfully submitted,



James E. Ledbetter
Registration No. 28,732

Date: March 12, 2002

Attorney Docket No. L8494.01101
STEVENS, DAVIS, MILLER & MOSHER, L.L.P.
1615 L Street, N.W., Suite 850
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Washington, D.C. 20043-4387
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UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20533
www.uspto.gov

U.S. APPLICATION NUMBER NO.

09/980,490

STEVENS, DAVIS,
 FIRST NAMED APPLICANT
 MILLER, MOSHER,
 Technik Report

ATTY. DOCKET NO.

L8494.01101

INTERNATIONAL APPLICATION NO.

PCT/JP00/03529

I.A. FILING DATE

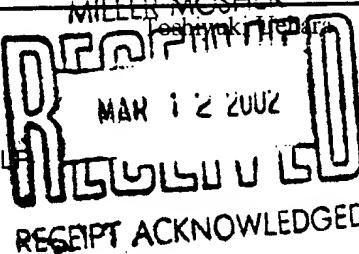
06/01/2000

PRIORITY DATE

06/04/1999

24257

STEVENS DAVIS MILLER & MOSHER, LLP
 1615 L STREET, NW
 SUITE 850
 WASHINGTON, DC 20036



Date Mailed: 01/31/2002

CONFIRMATION NO. 6443
 371 FORMALITIES LETTER



OC000000007320966

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Request for Immediate Examination

RESPONSE DUE 3/31/02
 DOCKETED DATE 3/12/02
 BY 20.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

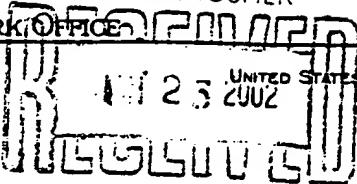
The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:



UNITED STATES PATENT AND TRADEMARK OFFICE

STEVENS, DAVIS,
MILLER MOSHER



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

Dear Patent Practitioner,

RECEIPT ACKNOWLEDGED

The USPTO and the patent community have experienced considerable difficulties since mid-October 2001 due to delays in the delivery of mail by the US Postal Service. I want to assure you that the USPTO is making every effort to deal with this situation in ways that avoid any undue burden upon applicants. Over the last few weeks we have seen an increase in the volume of backlogged mail being delivered and we are working very hard to process this mail as quickly as possible. I ask that you bear with us during this challenge and work with us to the extent possible to minimize the impact of these mail delays.

Unfortunately the decontamination process has damaged some of the mail recently delivered to the USPTO. For example, some patent application papers and drawings including photographs have been stuck together and cannot be separated. Some computer discs have been damaged. Some labels have been blackened so that the text on them cannot be read and some papers have been yellowed and are brittle. The amount of damaged mail is small, about 5%, and the senders are being contacted to supply a duplicate when necessary. Additionally, no application is being held abandoned without us first calling the applicant to ensure that a reply has not been delayed in the mail.

I also understand that there has also been some concern from practitioners that outgoing mail from the Office may have been delayed in some instances. Currently, the USPTO is requesting that applicants follow the procedure set forth in Manual of Patent Examining Procedure (MPEP) 710.06 to establish a delay in receipt of mail if they want to request that the period for reply be reset.

Please consult the USPTO Internet web site (<http://www.uspto.gov>) for updated information on Technology Center facsimile numbers, surface mail alternatives, and other announcements concerning mail delays. Some notices related to the mail delays that have been recently posted on the USPTO web site are listed on the attached table. Section 511 of the MPEP will be revised to state that in the event of a postal emergency an announcement will be placed on the USPTO web site. Note also that the entry of a paper into an application file can be confirmed by checking the PAIR system via our Electronic Business Center on our web site.

Questions related to mail difficulties should be directed to the Office of Patent Legal Administration, by telephone at (703) 308-6906. Alternatively, the questions may be sent via e-mail to PatentPractice@uspto.gov.

Thank you for your continued cooperation as we deal with this difficult situation.

1/16/02
Date

Nicholas P. Godici
NICHOLAS P. GODICI
Commissioner for Patents

Enclosure: Table of Recent Notices

Table of Recent Notices on the USPTO Internet Web Site

| <u>TITLE</u> | <u>DATE</u> | <u>OG CITE</u> | <u>OG DATE</u> |
|---|-------------|----------------|----------------|
| Processing of, and Requirements for, the Filing of Duplicate Applications and Papers in Patent Applications in view of USPS Mail Delays | 12/20/01 | 1254 OG 92 | 1/15/02 |
| Closing of the United States Patent and Trademark Office on Monday, December 24, 2001 | 12/13/01 | 1254 OG 61 | 1/8/02 |
| Notice Concerning Deposit Account Replenishments | 12/11/01 | | |
| Termination of the Suspension of the "Express Mail" Service of USPS for mail addressed to ZIP Codes 202xx through 205xx | 12/5/01 | 1254 OG 33 | 1/1/02 |
| Suspension of the "Express Mail" Service of United States Postal Service for mail addressed to ZIP codes 202xx though 205xx | 11/20/01 | 1254 OG 33 | 1/1/02 |
| Suspension of the "Express Mail" Service of United States Postal Service | 11/20/01 | 1253 OG 103 | 12/25/01 |
| Mitigation of Delays in Mail Deliveries to the USPTO | 11/9/01 | | |
| USPTO Tests Negative for Anthrax | 11/5/01 | | |
| Patent Customers Advised to FAX Communications to USPTO | 11/2/01 | | |
| United States Postal Service Interruptions and Emergency Terminated | 10/26/01 | 1252 OG 104 | 11/20/01 |
| Notice Concerning Safety of USPTO Mailings - Update | 10/25/01 | | |
| Notice Concerning Safety of USPTO Mailings | 10/23/01 | 1252 OG 19 | 11/6/01 |

Note: Where an Official Gazette cite or Official Gazette date field is blank in the table above, the notice has not yet been published in the Official Gazette.

The above list was excerpted from the list of patent-related notices that is posted on the USPTO Internet web site at: <http://www.uspto.gov/web/offices/pac/dapp/ogsheets.html>.